

### **REMARKS**

In the Notification of Non-Compliant Appeal Brief, the Appeal Brief filed on November 27, 2006, was held defective because the brief does not contain a statement of the status of all claims, or does not identify the appealed claims; The brief does not contain a concise statement of each ground of rejection presented for review; The brief does not present an argument under a separate heading for each ground of rejection on appeal; The brief does not contain a statement to the status of claims cancelled. In Grounds of Rejection section C refers to claim 16, but in the Arguments section C claim 17 is stated clarification is requested”.

In order to address the Examiner’s concerns, a Replacement Appeal Brief is submitted herewith. It is respectfully submitted that the Replacement Appeal Brief filed herewith is in compliance with 37 C.F.R. §41.37. Appellant respectfully requests that the Replacement Appeal Brief be entered.

The Examiner is invited to call the undersigned at the below-listed telephone number if in the opinion of the Examiner such a telephone conference would expedite or aid the prosecution and examination of this application.

Date: January 29, 2007

Respectfully submitted,

/Theodore D. Fay III/

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